

such new automobile, except where the manufacturer relabels the automobile in the event the same is rerouted, repurchased, or reacquired by the manufacturer of such automobile, shall be fined not more than \$1,000, or imprisoned not more than one year, or both. Such removal, alteration, or rendering illegible with respect to each automobile shall constitute a separate offense.

(Pub. L. 85-506, § 4, July 7, 1958, 72 Stat. 326.)

CHAPTER 29—MANUFACTURE, TRANSPORTATION, OR DISTRIBUTION OF SWITCHBLADE KNIVES

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§ 1241. Definitions

As used in this chapter—

(a) The term "interstate commerce" means commerce between any State, Territory, possession of the United States, or the District of Columbia, and any place outside thereof.

(b) The term "switchblade knife" means any knife having a blade which opens automatically—

- (1) by hand pressure applied to a button or other device in the handle of the knife, or
- (2) by operation of inertia, gravity, or both.

(Pub. L. 85-623, § 1, Aug. 12, 1958, 72 Stat. 562.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this Act", meaning Pub. L. 85-623, which enacted sections 1241 to 1244 of this title and amended section 1716 of Title 18, Crimes and Criminal Procedure.

EFFECTIVE DATE

Section 6 of Pub. L. 85-623 provided that: "This Act [enacting this chapter and amending section 1716 of Title 18, Crimes and Criminal Procedure] shall take effect on the sixtieth day after the date of its enactment [Aug. 12, 1958]."

SHORT TITLE OF 1986 AMENDMENT

Pub. L. 99-570, title X, § 10001, Oct. 27, 1986, 100 Stat. 3207-166, provided that: "This title [enacting section 1245 of this title, amending section 1716 of Title 18, Crimes and Criminal Procedure, and enacting provisions set out as a note under section 1245 of this title] may be cited as the 'Ballistic Knife Prohibition Act of 1986'."

§ 1242. Introduction, manufacture for introduction, transportation or distribution in interstate commerce; penalty

Whoever knowingly introduces, or manufactures for introduction, into interstate com-

merce, or transports or distributes in interstate commerce, any switchblade knife, shall be fined not more than \$2,000 or imprisoned not more than five years, or both.

(Pub. L. 85-623, § 2, Aug. 12, 1958, 72 Stat. 562.)

§ 1243. Manufacture, sale, or possession within specific jurisdictions; penalty

Whoever, within any Territory or possession of the United States, within Indian country (as defined in section 1151 of title 18), or within the special maritime and territorial jurisdiction of the United States (as defined in section 7 of title 18), manufactures, sells, or possesses any switchblade knife, shall be fined not more than \$2,000 or imprisoned not more than five years, or both.

(Pub. L. 85-623, § 3, Aug. 12, 1958, 72 Stat. 562.)

§ 1244. Exceptions

Sections 1242 and 1243 of this title shall not apply to—

(1) any common carrier or contract carrier, with respect to any switchblade knife shipped, transported, or delivered for shipment in interstate commerce in the ordinary course of business;

(2) the manufacture, sale, transportation, distribution, possession, or introduction into interstate commerce, of switchblade knives pursuant to contract with the Armed Forces;

(3) the Armed Forces or any member or employee thereof acting in the performance of his duty; or

(4) the possession, and transportation upon his person, of any switchblade knife with a blade three inches or less in length by any individual who has only one arm.

(Pub. L. 85-623, § 4, Aug. 12, 1958, 72 Stat. 562.)

§ 1245. Ballistic knives

(a) Prohibition and penalties for possession, manufacture, sale, or importation

Whoever in or affecting interstate commerce, within any Territory or possession of the United States, within Indian country (as defined in section 1151 of title 18), or within the special maritime and territorial jurisdiction of the United States (as defined in section 7 of title 18), knowingly possesses, manufactures, sells, or imports a ballistic knife shall be fined as provided in title 18, or imprisoned not more than ten years, or both.

(b) Prohibition and penalties for possession or use during commission of Federal crime of violence

Whoever possesses or uses a ballistic knife in the commission of a Federal crime of violence shall be fined as provided in title 18, or imprisoned not less than five years and not more than ten years, or both.

(c) Exceptions

The exceptions provided in paragraphs (1), (2), and (3) of section 1244 of this title with respect to switchblade knives shall apply to ballistic knives under subsection (a) of this section.

(d) "Ballistic knife" defined

As used in this section, the term "ballistic knife" means a knife with a detachable blade

that is propelled by a spring-operated mechanism.

(Pub. L. 85-623, § 7, as added Pub. L. 99-570, title X, § 10002, Oct. 27, 1986, 100 Stat. 3207-167; amended Pub. L. 100-690, title VI, § 6472, Nov. 18, 1988, 102 Stat. 4379.)

AMENDMENTS

1988—Subsec. (a). Pub. L. 100-690, § 6472(1), substituted “in or affecting interstate commerce, within any Territory or possession of the United States, within Indian country (as defined in section 1151 of title 18), or within the special maritime and territorial jurisdiction of the United States (as defined in section 7 of title 18), knowingly possesses, manufactures, sells, or imports” for “knowingly possesses, manufactures, sells, or imports”.

Subsec. (b). Pub. L. 100-690, § 6472(2), struck out “or State” after “Federal”.

EFFECTIVE DATE

Section 10004 of Pub. L. 99-570 provided that: “The amendments made by this title [enacting this section, amending section 1716 of Title 18, Crimes and Criminal Procedure, and enacting provisions set out as a note under section 1241 of this title] shall take effect 30 days after the date of enactment of this title [Oct. 27, 1986].”

CHAPTER 30—HAZARDOUS SUBSTANCES

| Sec. | | Sec. | |
|-------|--|-------|--|
| 1261. | Definitions. | 1269. | Regulations. |
| 1262. | Declaration of hazardous substances. | | (a) Authority. |
| | (a) Declaration of hazardous substances by regulation; review. | | (b) Joint regulations. |
| | (b) Reasonable variations or additional label requirements. | 1270. | Examinations and investigations. |
| | (c) Exemption from requirements by regulation. | | (a) Authority to conduct. |
| | (d) Exemption from requirements of this chapter of substances or containers adequately regulated by other provisions of law. | | (b) Inspection; notice; samples. |
| | (e) Regulation of toys or articles intended for use by children. | | (c) Receipt for sample; results of analysis. |
| | (f) Commencement of proceeding for promulgation of regulation; notice. | 1271. | Records of interstate shipment. |
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| | (h) Publication of proposed rule together with preliminary regulatory analysis. | | (a) Summaries of judgments, decrees, orders. |
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| | (j) Petition to initiate rulemaking. | 1273. | Imports. |
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| 1264. | Penalties; exceptions. | | (b) Disposition of refused articles. |
| | (a) Criminal penalties. | | (c) Expenses in connection with refused articles. |
| | (b) Exceptions. | | (d) Statement of exportation: filing period, information; notification of foreign country; petition for minimum filing period; good cause. |
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| 1265. | Seizures. | | (b) Order of Commission; repair, replacement, or refund. |
| | (a) Grounds and jurisdiction. | | (c) Discretionary remedial activities available to Commission; orders; contents. |
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| | (d) Costs and fees. | | (f) “Manufacturer” defined. |
| | (e) Removal of case for trial. | | (g) Cost-benefit analysis of notification or other action not required. |
| 1266. | Hearing before report of criminal violation. | 1275. | Toxicological Advisory Board. |
| 1267. | Injunctions; criminal contempt; trial by court or jury. | | (a) Establishment; functions; review and recommendations. |
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| 1268. | Proceedings in name of United States; subpoenas. | 1276. | Congressional veto of hazardous substances regulations. |
| | | | (a) Transmission to Congress. |
| | | | (b) Disapproval by concurrent resolution. |
| | | | (c) Presumptions from Congressional action or inaction. |
| | | 1277. | Labeling of art materials. |
| | | | (d) Continuous session of Congress. |
| | | | (a) Regulation status of standard D-4236 of American Society for Testing and Materials. |
| | | | (b) Requirements applicable to standard D-4236. |
| | | | (c) Revisions incorporated into standard D-4236; notice and hearing; amendment; opportunity for comment; transcript of proceedings. |
| | | | (d) Guidelines for determining chronically hazardous art materials; issuance; public hearing; scope of criteria; review; amendment. |
| | | | (e) Informational and educational materials; development and distribution. |
| | | | (f) Injunctions. |
| | | 1278. | Requirements for labeling certain toys and games. |
| | | | (a) Toys or games for children who are at least 3. |
| | | | (b) Balloons, small balls, and marbles. |
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